

**THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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JOHN DOE, Case No. 1:20-cv-01343 (GHW)  
  
Plaintiff,  
  
-against-  
  
NEW YORK UNIVERSITY,  
  
Defendant.  
  
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**DECLARATION OF JEFFREY P. METZLER IN SUPPORT OF  
DEFENDANT’S MOTION FOR SUMMARY JUDGMENT**

I, Jeffrey P. Metzler, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am an attorney duly licensed to practice law in the state of New York and admitted to practice in the United States District Court for the Southern District of New York. I am Special Counsel at the law firm Pillsbury Winthrop Shaw Pittman LLP, counsel for Defendant New York University (“NYU”) in this action.
2. I respectfully submit this declaration in support of NYU’s Memorandum of Law in Support of Defendant’s Motion for Summary Judgment.<sup>1</sup>
3. Attached to this Declaration as **Exhibit 1** is a true and correct copy of the Investigation Summary Report, dated October 23, 2018 (Redacted).
4. Attached to this Declaration as **Exhibit 2** is a true and correct copy of the document bearing bates NYU\_00001803 – NYU\_00001808 (Redacted).
5. Attached to this Declaration as **Exhibit 3** is a true and correct copy of the document bearing bates NYU\_00029043 – NYU\_00029053.

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<sup>1</sup> NYU has contemporaneously filed a Letter Motion for leave to redact and/or seal certain exhibits attached hereto, and designates herein the requested treatment of each such exhibit as “(Redacted)” or “(Sealed).”

6. Attached to this Declaration as **Exhibit 4** are true and correct copies of excerpts from the deposition transcript of Samuel Hodge, dated January 11, 2022 (Redacted).

7. Attached to this Declaration as **Exhibit 5** are true and correct copies of excerpts from the deposition transcript of Mary Signor, dated February 28, 2022 (Redacted).

8. Attached to this Declaration as **Exhibit 6** is a true and correct copy of the Declaration of Lauren Stabile in support of Defendant NYU's Motion for Summary Judgment, dated June 16, 2022.

9. Attached to this Declaration as **Exhibit 7** are true and correct copies of excerpts from the deposition transcript of Colleen Maeder, dated February 25, 2022 (Redacted).

10. Attached to this Declaration as **Exhibit 8** is a true and correct copy of the Declaration of Craig Jolley in support of Defendant NYU's Motion for Summary Judgment, dated June 22, 2022.

11. Attached to this Declaration as **Exhibit 9** are true and correct copies of excerpts from the deposition transcript of Allen M. McFarlane, dated February 11, 2022.

12. Attached to this Declaration as **Exhibit 10** are true and correct copies of excerpts from the deposition transcript of John Doe, dated December 17, 2021 (Redacted).

13. Attached to this Declaration as **Exhibit 11** are true and correct excerpts from the document bearing bates P009355 – P009393 (Redacted).

14. Attached to this Declaration as **Exhibit 12** are true and correct excerpts from the document bearing bates P009394 – P009551 (Redacted).

15. Attached to this Declaration as **Exhibit 13** is a true and correct copy of the transcript of the audio recording of Plaintiff's Title IX Hearing, dated February 23, 2022 (Redacted).

16. Attached to this Declaration as **Exhibit 14** is a true and correct copy of the document bearing bates NYU\_00011361 – NYU\_00011369 (Redacted).

17. Attached to this Declaration as **Exhibit 15** are true and correct excerpts from the document bearing bates P057258 – P057464 (Redacted).

18. Attached to this Declaration as **Exhibit 16** are true and correct excerpts from the document bearing bates P045456 – P046088 (Redacted).

19. Attached to this Declaration as **Exhibit 17** are true and correct excerpts from the document bearing bates P008425 – P008573 (Redacted).

20. Attached to this Declaration as **Exhibit 18** are true and correct excerpts from the document bearing bates P005421 – P005478 (Redacted).

21. Attached to this Declaration as **Exhibit 19** are true and correct excerpts from the document bearing bates P006752 – P006780 (Redacted).

22. Attached to this Declaration as **Exhibit 20** are true and correct excerpts from the document bearing bates P007826 – P007919 (Redacted).

23. Attached to this Declaration as **Exhibit 21** are true and correct excerpts from the document bearing bates P036902 – P040275 (Redacted).

24. Attached to this Declaration as **Exhibit 22** is a true and correct copy of the video file bearing bates NYU\_00004015. The video file could not be redacted and will be submitted to the Court in native format pursuant to Defendant's Motion to Seal (Sealed).

25. Attached to this Declaration as **Exhibit 23** are true and correct excerpts from the document bearing bates P057933 – P057958 (Redacted).

26. Attached to this Declaration as **Exhibit 24** are true and correct excerpts from the document bearing bates NYU\_00001091 – NYU\_00001178 (Redacted).

27. Attached to this Declaration as **Exhibit 25** is a true and correct copy of the video file bearing bates NYU\_00004012. The video file could not be redacted and will be submitted to the Court in native format pursuant to Defendant's Motion to Seal (Sealed).

28. Attached to this Declaration as **Exhibit 26** is a true and correct copy of the document bearing bates P008662 – P008741 (Redacted).

29. Attached to this Declaration as **Exhibit 27** is a true and correct copy of the document bearing bates NYU\_00002432 – NYU\_00002435 (Redacted).

30. Attached to this Declaration as **Exhibit 28** is a true and correct copy of the document bearing bates NYU\_00002518 – NYU\_00002520 (Redacted).

31. Attached to this Declaration as **Exhibit 29** is a true and correct copy of the document bearing bates NYU\_00002598 – NYU\_00002600 (Redacted).

32. Attached to this Declaration as **Exhibit 30** is a true and correct copy of the document bearing bates NYU\_00002609 – NYU\_00002614 (Redacted).

33. Attached to this Declaration as **Exhibit 31** is a true and correct copy of the document bearing bates NYU\_00009558 – NYU\_00009567 (Redacted).

34. Attached to this Declaration as **Exhibit 32** is a true and correct copy of the document bearing bates NYU\_00009568 – NYU\_00009575 (Redacted).

35. Attached to this Declaration as **Exhibit 33** is a true and correct copy of the document bearing bates P002929 (Redacted).

36. Attached to this Declaration as **Exhibit 34** is a true and correct copy of the document bearing bates P002943 – P002953 (Redacted).

37. Attached to this Declaration as **Exhibit 35** are true and correct excerpts from the document bearing bates P058064 – P060912 (Redacted).

38. Attached to this Declaration as **Exhibit 36** are true and correct excerpts from the document bearing bates P061855 – P065233 (Redacted).

39. Attached to this Declaration as **Exhibit 37** is a true and correct copy of the document bearing bates NYU\_00002684 – NYU\_00002687 (Redacted).

40. Attached to this Declaration as **Exhibit 38** is a true and correct copy of the document bearing bates NYU\_00002654 – NYU\_00002664 (Redacted).

41. Attached to this Declaration as **Exhibit 39** is a true and correct copy of the document bearing bates NYU\_00002837 – NYU\_00002849 (Redacted).

42. Attached to this Declaration as **Exhibit 40** is a true and correct copy of the document bearing bates NYU\_00002850 (Redacted).

43. Attached to this Declaration as **Exhibit 41** is a true and correct copy of the document bearing bates NYU\_00010191 – NYU\_00010205 (Redacted).

44. Attached to this Declaration as **Exhibit 42** is a true and correct copy of the document bearing bates NYU\_00010206 – NYU\_00010224 (Redacted).

45. Attached to this Declaration as **Exhibit 43** is a true and correct copy of the document bearing bates NYU\_00029166 – NYU\_00029167 (Redacted).

46. Attached to this Declaration as **Exhibit 44** is a true and correct copy of the document bearing bates NYU\_00009555 (Redacted).

47. Attached to this Declaration as **Exhibit 45** is a true and correct copy of the document bearing bates NYU\_00003903 (Redacted).

48. Attached to this Declaration as **Exhibit 46** are true and correct copies of excerpts from the deposition transcript of **John's Mother**, dated January 28, 2022 (Redacted).

49. Attached to this Declaration as **Exhibit 47** is a true and correct copy of the document bearing bates NYU\_00003149 – NYU\_00003150 (Redacted).

50. Attached to this Declaration as **Exhibit 48** is a true and correct copy of the document bearing bates NYU\_00003180 – NYU\_00003181 (Redacted).

51. Attached to this Declaration as **Exhibit 49** is a true and correct copy of the document bearing bates NYU\_00003333 – NYU\_00003335 (Redacted).

52. Attached to this Declaration as **Exhibit 50** is a true and correct copy of the document bearing bates NYU\_00003473 (Redacted).

53. Attached to this Declaration as **Exhibit 51** is a true and correct copy of the document bearing bates NYU\_00000009 – NYU\_00000010 (Redacted).

54. Attached to this Declaration as **Exhibit 52** is a true and correct copy of the document bearing bates NYU\_00010096 – NYU\_00010119 (Redacted).

55. Attached to this Declaration as **Exhibit 53** is a true and correct copy of the document bearing bates NYU\_00010120 – NYU\_00010142 (Redacted).

56. Attached to this Declaration as **Exhibit 54** is a true and correct copy of the document bearing bates NYU\_00004169 – NYU\_00004173 (Redacted).

57. Attached to this Declaration as **Exhibit 55** is a true and correct copy of the document bearing bates P008743 (Redacted).

58. Attached to this Declaration as **Exhibit 56** is a true and correct copy of the document bearing bates NYU\_00009552 – NYU\_00009553 (Redacted).

59. Attached to this Declaration as **Exhibit 57** is a true and correct copy of the document bearing bates NYU\_00004208 – NYU\_00004213 (Redacted).

60. Attached to this Declaration as **Exhibit 58** is a true and correct copy of the document bearing bates NYU\_00005909 – NYU\_00005910 (Redacted).

61. Attached to this Declaration as **Exhibit 59** is a true and correct copy of the spreadsheet bearing bates NYU\_00024053 (Redacted).

62. Attached to this Declaration as **Exhibit 60** is a true and correct copy of the document bearing bates NYU\_00000073 – NYU\_00000074 (Redacted).

63. Attached to this Declaration as **Exhibit 61** is a true and correct copy of the document bearing bates NYU\_00000071 – NYU\_00000072 (Redacted).

64. Attached to this Declaration as **Exhibit 62** is a true and correct copy of the document bearing bates NYU\_00000091 – NYU\_00000092 (Redacted).

65. Attached to this Declaration as **Exhibit 63** is a true and correct copy of the document bearing bates NYU\_00006515 – NYU\_00006517 (Redacted).

66. Attached to this Declaration as **Exhibit 64** is a true and correct copy of the document bearing bates NYU\_00006594 – NYU\_00006600 (Redacted).

67. Attached to this Declaration as **Exhibit 65** is a true and correct copy of the document bearing bates NYU\_00006487 – NYU\_00006850 (Redacted).

68. Attached to this Declaration as **Exhibit 66** is a true and correct copy of the document bearing bates NYU\_00031700 – NYU\_00031703 (Redacted).

69. Attached to this Declaration as **Exhibit 67** is a true and correct copy of the document bearing bates NYU\_00000230 (Redacted).

70. Attached to this Declaration as **Exhibit 68** is a true and correct copy of the document bearing bates NYU\_00006658 – NYU\_00006659 (Redacted).

71. Attached to this Declaration as **Exhibit 69** is a true and correct copy of the document bearing bates NYU\_00006699 – NYU\_00006706 (Redacted).

72. Attached to this Declaration as **Exhibit 70** are true and correct copies of excerpts from the deposition transcript of Lauren Stahl, dated February 2, 2022.

73. Attached to this Declaration as **Exhibit 71** is a true and correct copy of the document bearing bates NYU\_00007055 – NYU\_00007057 (Redacted).

74. Attached to this Declaration as **Exhibit 72** are true and correct copies of excerpts from the deposition transcript of Craig Jolley, dated February 18, 2022 (Redacted).

75. Attached to this Declaration as **Exhibit 73** is a true and correct copy of the document bearing bates NYU\_00007112 – NYU\_00007115 (Redacted).

76. Attached to this Declaration as **Exhibit 74** is a true and correct copy of the document bearing bates NYU\_00000691 – NYU\_00000692 (Redacted).

77. Attached to this Declaration as **Exhibit 75** is a true and correct copy of the document bearing bates NYU\_00011506 – NYU\_00011515 (Redacted).

78. Attached to this Declaration as **Exhibit 76** is a true and correct copy of the document bearing bates NYU\_00007876 – NYU\_00007877 (Redacted).

79. Attached to this Declaration as **Exhibit 77** are true and correct copies of excerpts from the deposition transcript of Leah Lattimore, dated March 9, 2022 (Redacted).

80. Attached to this Declaration as **Exhibit 78** are true and correct copies of excerpts from the deposition transcript of Thomas Ellett, dated March 4, 2022 (Redacted).

81. Attached to this Declaration as **Exhibit 79** is a true and correct copy of the document bearing bates P000575 – P000588 (Redacted).

82. Attached to this Declaration as **Exhibit 80** is a true and correct copy of the document bearing bates P000555 (Redacted).

83. Attached to this Declaration as **Exhibit 81** is a true and correct copy of the document bearing bates P000556 (Redacted).

84. Attached to this Declaration as **Exhibit 82** is a true and correct copy of the document bearing bates P000565 – P000567 (Redacted).

85. Attached to this Declaration as **Exhibit 83** is a true and correct copy of the document bearing bates P000025 (Redacted).

86. Attached to this Declaration as **Exhibit 84** is a true and correct copy of the document bearing bates NYU\_00002518 – NYU\_00002520 (Redacted).



I declare under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct.



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Jeffrey P. Metzler

Executed on the 22 day of June, 2022.